

# Van (William) Dinh, RMT

**Location:**

Surrey and Langley, BC

**Date of Actions:**

April 30 and October 12, 2021

**Date Action Ended:**

September 21, 2022

**Nature of Action:** On April 30, 2021, pursuant to section 35(1)(b) of the *Health Professions Act* (the “Act”), a panel of the Inquiry Committee made an order to impose a suspension on Van (William) Dinh’s registration with CMTBC in order to protect the public; this order was in effect from April 30 to October 11, 2021.

On October 12, 2021, the Inquiry Committee panel varied its order, by lifting the suspension and permitting Mr. Dinh to resume practice with a limit to treat only female patients. On that date, the panel ordered that Mr. Dinh’s registration be limited to only treat female patients, and that he must post a notice of the limitation in all of his places of practice prior to resuming massage therapy practice.

**Reasons:** CMTBC received a complaint from a male patient alleging that Mr. Dinh engaged in sexual misconduct during the provision of massage therapy, including by engaging in non-therapeutic touching of sensitive areas of the patient’s body and exposure of sensitive areas of the patient’s body.

The Inquiry Committee panel considered the applicable legal test and, without deciding the merits of the allegations, was satisfied that there was a *prima facie* case of sexual misconduct. The Inquiry Committee concluded that there would be a real risk of harm to patients if Mr. Dinh were allowed to continue to practice without restriction. Therefore, the panel determined that the public must be protected by an interim order during the investigation and pending any discipline hearing. On April 30, 2021, the panel imposed a suspension.

In its October 12, 2021 decision, the Inquiry Committee considered new and additional information provided by Mr. Dinh. At that time, the panel reconsidered the risk of harm to patients, and was of the view that there was a

real risk of harm only to male patients. The panel was satisfied that the use of a gender-based prohibition would adequately address the risk of harm to male patients. Accordingly, the panel made an order to impose a limit on Mr. Dinh's practice of massage therapy, the limit being that he was prohibited from treating male patients.

This order took effect on October 12, 2021, and ceased to be in effect on September 21, 2022.

**Important Note:** Limits, conditions and suspensions ordered by the Inquiry Committee under section 35(1) of the Act are made to protect the public during an investigation or pending a hearing of the Discipline Committee. Measures taken under section 35(1) of the Act pertain to allegations which are and remain unproven unless admitted by a registrant or determined by the Discipline Committee.